

COASTAL CONSERVANCY

Staff Recommendation

May 24, 2007

**CANAL BOULEVARD BAY TRAIL GAP**

File No. 07-037-01

Project Manager: Joan Cardellino

**RECOMMENDED ACTION:** Authorization to disburse up to \$53,000 to the City of Richmond to prepare plans for a San Francisco Bay Trail segment along Canal Boulevard.

**LOCATION:** City of Richmond, Contra Costa County

**PROGRAM CATEGORY:** San Francisco Bay Program

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**EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the City of Richmond to disburse an amount not to exceed fifty-three thousand dollars (\$53,000) to prepare plans for a 465-foot-long segment of the San Francisco Bay Trail along Canal Boulevard, as specified in Permit 5-04 issued by the Bay Conservation and Development Commission to Eagle Rock Aggregates, Inc. Prior to disbursement of funds for this project, the City of Richmond shall submit for the review and approval of the Executive Officer the names and qualifications of any contractors proposed to be hired, a project work program, schedule and budget, and a signing plan acknowledging the Conservancy’s assistance.

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31160-31165 regarding resource and recreational goals in the San Francisco Bay area.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

## PROJECT SUMMARY:

Staff recommends authorization to disburse up to \$53,000 to the City of Richmond for the purpose of preparing plans for a segment of the Bay Trail along Canal Boulevard. The plans will identify options for trail configuration along 465 feet of Canal Boulevard, connecting to existing Class I trail along Seacliff Drive. (See Exhibit 1, project location map.)

The specific improvements proposed for this project are required by a permit issued by the Bay Conservation and Development Commission (BCDC) to Eagle Rock Aggregates, Inc. The permit required Eagle Rock to pay the Coastal Conservancy \$150,000 for this specific in-lieu public access improvement, which will close an existing gap in the Bay Trail. Funds not needed for the design phase of the project will be recommended for construction of the improvements, once environmental review has been completed.

The Port of Richmond, a department of the City of Richmond, is starting design work now to complete the Bay Trail through the western side of the port's property. The gap along Canal Blvd. will be designed as part of this larger project, but the funding for it will come from the funds provided by Eagle Rock Aggregates, pursuant to the BCDC requirement.

**Site Description:** Kaiser Shipyard Number 3 lies on the western side of the Port of Richmond, in what is now called Point Potrero Marine Terminal. The historic shipyard is part of the Rosie the Riveter WWII Homefront National Historical Park, and is an active part of the port's operations. Canal Boulevard runs through the marine terminal, and the Bay Trail will be designed for both bicyclists and pedestrians. Special Condition II.B. of BCDC Permit No. 5-04 specifies the project site as a 465-foot gap in the San Francisco Bay Trail along the west side of Canal Boulevard, from Seacliff Drive to the south end of an industrial office complex.

**Project History:** In February 2005, BCDC issued a permit to Eagle Rock Aggregates, Inc. which allowed Eagle Rock to construct storage facilities and install equipment within the 100-foot shoreline band. A condition of the permit was for Eagle Rock to pay \$150,000 to the Conservancy for the specific project along Canal Blvd. described above. Eagle Rock paid the funds to the Conservancy in October 2006.

The City of Richmond had received a grant of Conservancy funds from the Bay Trail Project to prepare a feasibility and planning study for the bay trail through the lower Shipyard No. 3 area. That study was completed in November 2003. Much of the bay trail already is in place through the southern and eastern sides of the City's waterfront, but the port area has been more difficult to access. The feasibility study identified a preferred alternative for pedestrian and bicycle travel and viewing access; however, the subject gap along Canal Blvd was not included in the scope of the feasibility study.

## PROJECT FINANCING:

Coastal Conservancy (BCDC permit funds)	\$53,000
City of Richmond	<u>148,000</u>
<b>Total Project Cost</b>	<b>\$201,000</b>

Funds for this project were provided by Eagle Rock Aggregates, Inc. as a condition of BCDC Permit No. 5-04 for its construction project. Funds in the amount of \$150,000 have been deposited in the San Francisco Bay Conservancy Program Trust Fund. The permit specifies that the Conservancy may retain a reasonable portion of the funds for its costs. The balance of funds will remain in the account until authorized for use in constructing the project.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed project is consistent with Public Resources Code Section 31162(a) in that by completing a gap in the Bay Trail, the Conservancy is improving public access to, within and around the bay. Consistent with PRC Section 31163(c), the project meets the stated criteria in that it is supported by the Port of Richmond's plan for the Point Potrero Marine Terminal area; it forms a link in the regional San Francisco Bay Trail and thereby serves a regional constituency; will be included in the overall plan for the Shipyard 3 area for which a consultant team has already been hired with funds provided by the City of Richmond.

The proposed project is also consistent with PRC Section 31111 which authorizes the Conservancy to fund plans and feasibility studies and award grants to public agencies for these purposes.

Under Section 31104, the Conservancy may accept funds from public and private sources.

**CONSISTENCY WITH CONSERVANCY'S  
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

The proposed project is consistent with **Goal 11, Objective B** in that it will help complete the Bay Trail.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** This project is supported by Trails for Richmond Action Committee (TRAC), a group of Bay Trail advocates working in Richmond to complete the trail.
4. **Location:** This project is located in the City of Richmond, within the jurisdiction of the San Francisco Bay Conservancy Program

5. **Need:** The proposed trail alignment will help bicyclists and pedestrians travel safely through an active area of the Port of Richmond. Use of the trail should be significant, as the adjacent residential areas are now developing. This gap connects a large segment of existing Bay Trail spine through the City of Richmond.
6. **Greater-than-local interest:** The San Francisco Bay Trail will be more than 400 miles long and circumnavigate the entire San Francisco Bay when it is completed. As such, it is a regional trail.

#### **Additional Criteria**

12. **Readiness:** The City of Richmond has already hired the professional team to design the improvements through the other parts of Shipyard 3. Adding on the Canal Blvd. gap now means it can be folded into the broader scope of work.
13. **Realization of prior Conservancy goals:** A key goal of the Conservancy is to complete the Bay Trail. This project will help achieve that.

#### **CONSISTENCY WITH SAN FRANCISCO BAY PLAN:**

The McAteer-Petris Act states that “existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided.” (Government Code Section 66602.) The San Francisco Bay Plan states that public access should be provided “in and through every new development in the Bay or on the shoreline,” except in cases of public safety considerations or significant use conflicts. In those cases, in lieu access facilities should be provided, preferably as close to the project site as possible. San Francisco Bay Plan (1/06), Part IV—Development of the Bay and Shoreline: Findings and Policies, Access Policy Number 2. In the proposed project, in lieu public access will be provided within a few blocks of the development. Access Policy Number 9 states that roads built near the water’s edge should provide safe and separated access for visitors to and along the shoreline. The bike and pedestrian path to be designed in this project is consistent with that policy.

#### **COMPLIANCE WITH CEQA:**

The proposed project is statutorily exempt from the California Environmental Quality Act under Section 15262 regarding feasibility and planning studies. That section states that “[a] project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or Negative Declaration but does require consideration of environmental factors.” Review for compliance with CEQA will be done at the conclusion of the planning phase, and prior to initiating construction.

Upon approval, staff will file a Notice of Exemption.